

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL FLETCHER,

Plaintiff,

vs.

UNION PACIFIC RAILROAD COMPANY, a
Delaware Corporation;

Defendant.

8:20CV50

ORDER

This matter is before the court on Union Pacific Railroad Company's motion to interplead settlement proceeds pending the resolution of an attorney-fee dispute. ([Filing No. 41](#)). The motion states "The Plaintiff, Michael Fletcher, does not oppose this Motion in concept but disagrees with Union Pacific's determination concerning the sum to be deposited." (Id.) Plaintiff has not responded to Defendant's motion and the time for doing so has passed, the motion is now deemed unopposed. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion for leave to deposit money into the court, ([Filing No. 41](#)), is granted, and:
 - a. Defendant may deposit a check in the amount of \$ 196,103.00 with the Clerk of the Court for the United States District Court for the District of Nebraska.
 - b. The Clerk is directed to deposit the aforementioned funds into an interest-bearing account until further order of this court pursuant to 28 U.S.C. § 2041 and NECivR 67.1
- 2) The deadline for filing dismissal documents is extended to December 15, 2022.
- 3) On or before November 29, 2022, the attorneys seeking recovery of fees shall confer and then advise the court as to whether the fee distribution issue should be referred to a magistrate judge for a settlement conference.

November 15, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge